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April 6, 2017

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VIA ECF
Honorable Raymond J. Dearie
United States District Judge
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 112017

RE: Request for trial date in *Dover, et al. v. British Airways, PLC (UK)*, No. 12-cv-5567.

Your Honor:

Plaintiffs respectfully ask the Court to set trial in this matter for its earliest convenient date after July 7, 2017. This will allow sufficient time to provide the class notice at the Court's direction. *See* Fed. R. Civ. P. 23(c)(2)(B).[1]

British Airways may respond that it intends to seek a stay of this matter while it attempts to pursue an interlocutory appeal of the Court's order granting class certification. (*Cf*. Dkt. 157 (setting an initial trial date over BA's objections).) But "reliance on the possibility of a reversal of the [district] court's [class certification] decision is ordinarily not reasonable." *Giovanniello v. ALM Media, LLC*, 726 F.3d 106, 118 (2d Cir. 2013)." (citation omitted)). Any request for a stay would be particularly unreasonable in this case because it is highly unlikely that the Second Circuit would reverse this Court. *See, e.g., Blair v. Equifax Check Servs., Inc.*, 181 F.3d 832, 835 (7th Cir. 1999) (Easterbrook, J.) ("Because stays will be infrequent, interlocutory appeals under Rule 23(f) should not unduly retard the pace of litigation.").

Respectfully,

Jason L. Lichtman

JLL/wp

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[1] Plaintiffs anticipate filing a notice plan within 10 days. British Airways has e-mail and postal addresses for the overwhelming majority of class members: notice will be straightforward.